



March 22, 2021

**Via ECF**

Honorable John G. Koeltl  
United States District Court  
Southern District of New York  
500 Pearl Street  
New York, New York 10007-1316

**Re: Holden, et al. v. The Port Authority of New York and New Jersey, et al.  
1:17 Civ 02192 (JGK)(RWL)**

Dear Judge Koeltl:

Defendants apologize to the Court if there was any misunderstanding on our part concerning the supplemental motion *in limine* directed to Dr. Jason Pierceson's expert report. This Court set a schedule of March 19 for the motions by both sides with respect to the reports and April 2 as the date for any opposition. At the hearing on February 5, this Court initially directed defendants to prepare a revised report for Michael Coan and to file a motion with respect to Dr. Pierceson. Plaintiffs proposed that they submit a revised report for Dr. Pierceson, and defendants agreed with the hope it would avoid further motion practice. Plaintiffs never sought a meet and confer with respect to defendants' objections to specific language in Dr. Pierceson's report, but simply served a revised report on February 23. Defendants found numerous statements in that report to be objectionable, as set forth in the motion filed on March 19. If plaintiffs agree to remove any of these statements, it will narrow the scope of the motion. Otherwise, we respectfully request that the motion be accepted as filed since the parties are moving forward with settlement negotiations with Judge Lehrburger, and time is limited.

Respectfully submitted,

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KGM:kc



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